



National Clearinghouse on Child Abuse and Neglect Information National Adoption Information Clearinghouse



Gateways to Information: Protecting Children and Strengthening Families

2003 Adoption State Statutes Series Statutes-at-a-Glance Access to Family Information by Adopted Persons

What You Need to Know

In nearly all States, adoption records are sealed and withheld from public inspection after the adoption is finalized. Most States, therefore, have procedures by which parties to an adoption may obtain non-identifying and identifying information from an adoption record.

Non-Identifying Information

Non-identifying information is generally restricted to descriptive details about an adopted person and the adopted person's birth relatives. Non-identifying information may include the following:

- Date and place of the adopted persons' birth
- Age of the birth parents and general physical description such as eye and hair color
- Race, ethnicity, religion, and medical history of the birth parents
- Educational level of the birth parents and their occupation at the time of the adoption
- Reason for placing child for adoption
- Existence of other children born to each birth parent

Policies on what information is collected and how that information is maintained and disclosed vary from State to State. However, an adopted person must be at least 18 years of age before he or she may access this information. The information also may be released to an adoptive parent or a guardian of an adopted person who is still a minor, and in some States to birth parents and siblings. Additionally, States are allowed to charge a reasonable fee for providing the information.

Identifying Information

Identifying information is considered to be data that may lead to the positive identification of an adopted person, birth mother, father, or sibling.

A mutual consent registry is one method many States use for release of identifying information. A mutual consent registry is a system whereby individuals directly involved in adoptions can indicate their willingness or unwillingness to have their identifying information disclosed.¹ Approximately² 27 States (Arkansas, California, Connecticut, Florida, Georgia, Idaho, Illinois, Indiana, Iowa, Louisiana, Maine, Maryland, Michigan, Missouri, Nevada, New York, Oklahoma, Oregon, Pennsylvania, Rhode Island, South

¹ Christine Adamec & William L. Pierce, *The Encyclopedia of Adoption* 184 (Facts on File, Inc. 2000).

² The word *approximately* is used to stress the fact that the statutes are constantly being revised and updated.



**Original
Birth
Certificate**

Carolina, South Dakota, Tennessee, Texas, Utah, Vermont, and West Virginia) have established some form of a mutual consent registry. Procedures for mutual consent registries vary significantly from State to State.

Most registries require consent of at least one birth parent and an adopted person over the age of 18 or 21, or of adoptive parents of an adopted person who is still a minor, in order to release identifying information. Some States require consent from the birth mother and birth father; other States may presume consent of the birth father from his silence. Other States allow biological siblings of the adopted individual to seek and release identifying information upon mutual consent or will allow adopted persons to have identifying information about birth parents who are deceased. Many States ask a birth parent to specify at the time of consent or relinquishment whether they are willing to have their identity disclosed to the adopted person when he or she is age 18 or 21.³ If consent is not on file, the information may not be released without a court order documenting good cause to release the information. A person seeking a court order must be able to demonstrate by clear and convincing evidence that there is a compelling reason for disclosure that outweighs maintaining the confidentiality of a party to an adoption.

States that have not established registries may use alternative methods for disclosing identifying information. Search and consent procedures authorize a public or private agency to assist a party in locating birth family members to determine if they consent to the release of information. Some States have a type of search and consent procedure called a confidential intermediary system. In this system, an individual called a confidential intermediary is certified by the court to have access to sealed adoption records for the purpose of conducting a search for birth family members to obtain their consent for contact. Other States use an affidavit system through which birth family members can file either their consent to the release of identifying information, or a non-consent to register his or her refusal to be contacted or to release identifying information. The written permission may be referred to as a consent, waiver, or authorization form.

Most State laws do not allow adopted persons access to their original birth certificates. A few States allow restricted access to birth certificates depending on the date of birth, whether the birth parents have filed consent for release forms, and/or whether the birth parents have filed requests for non-disclosure.

Adopted adults age 18 or older have unrestricted access to their original birth certificates in Alaska and Kansas. Tennessee and Oregon have provisions allowing access to original birth certificates for adopted adults, and at the same time allowing birth parents to state if they do not wish to be contacted by the adopted person. A number of States, including Alabama, Colorado, Maryland, Nebraska, Ohio, and Wisconsin, give adopted adults access to their original birth certificates when a prior consent from the birth parent(s) is on file. Access also may depend on the date of adoption in some States. Delaware gives adopted adults access to original birth certificates unless a request for non-disclosure is on file. In Montana, Vermont, and Washington, some adopted adults

³ Joan H. Hollinger et al., *Adoption Law and Practice* § 13-A.01 (2001).

have access to original birth certificates unless a request for non-disclosure is on file, but access depends on the date of adoption.

For contact information for the State agency or department that assists adopted persons in accessing adoption records, go to the National Adoption Information Clearinghouse's National Adoption Directory (<http://naic.acf.hhs.gov/database/nadd/naddsearch.cfm>) and search under State Reunion Registry or State Confidential Intermediary Service.

The Statutes-at-a-Glance listings summarize specific sections of each State's code. While every attempt has been made to be as complete as possible, additional information on these topics may be in other sections of a State's code as well as agency regulations, case law, and informal practices and procedures. Readers interested in the interpretation of specific statutory provisions within an individual jurisdiction should consult with professionals within the State familiar with the statutes' implementation.

Statutes-at-a-Glance publications also are available on the Clearinghouse website (<http://naic.acf.hhs.gov>). Our online State Statutes database is searchable by State or Region.

Alabama

Who May Access Information

Statute: § 26-10A-31

- Adoptive parents
- Birth parents
- Adopted person, age 19 or older

Note: Only the adopted person may access identifying information.

Access to Non-identifying Information

Statute: § 26-10A-31

Non-identifying information limited to:

- Health and medical history of natural parents and adopted person
- General family background
- Physical descriptions
- Length of time child was in the custody of someone other than adoptive parents
- Circumstances resulting in adoption

Other details are available at the discretion of the court.

Mutual Access to Identifying Information

Statute: § 26-10A-31

Identifying information may be released if either birth parent gives consent in writing or the adopted person may petition the court. The court will release the information after weighing the interest and rights of all the parties involved.

Access to Original Birth Certificate

Statute: § 22-9A-12(c)-(d)

- Available upon request to the adopted person age 19 or older. The non-certified copy may include other documents maintained with the record.
- The birth parent may file a contact preference form to accompany the original birth certificate.

Where the Information Can Be Located

- The State Department of Human Resources
- The licensed investigating agency appointed by the court per § 26-10A-19(b), (c)

Alaska

Who May Access Information

Statute: § 18.50.500

- Adopted person, age 18 or older
- Adoptive parent

Access to Non-identifying Information**Statute: § 18.50.510**

Non-identifying information includes:

- Age of birth parents at the adopted person's birth
- Heritage including ethnic background and Tribal membership
- Medical history
- Number of years of school completed by the birth parents
- Physical description
- Existence of other children of birth parents
- Religion

Mutual Access to Identifying Information**Statute: §§ 18.50.500; 18.50.510**

- Upon request, the adopted person may have access to any change in the birth parent's name or address.
- Birth parents may access the most current name and address of an adopted person age 18 or older if consent is given.
- The information may include any documents provided by the birth parents for disclosure to the child, including photos, letters, etc.

Access to Original Birth Certificate**Statute: § 18.50.500**

Provided upon request to an adopted person age 18 or older

Where the Information Can Be LocatedState Registrar of Vital Statistics, Department of Health and Social Services

American Samoa**Who May Access Information****Statute: § 45.0414**

Any party to an adoption proceeding

Access to Non-identifying Information**Statute: § 45.0414**

Accessible non-identifying information includes the child's family background and reasons for the adoption.

Mutual Access to Identifying Information

Not addressed in statutes reviewed

Access to Original Birth Certificate**Statute: § 45.0424**

Only made available upon a court order for good cause shown

Where the Information Can Be LocatedRegistrar of Vital Records

Arizona

Who May Access Information

Statute: § 8-129

- Adoptive parents or guardian
- Adopted person, age 18 or older
- Spouse or child of adopted person, if deceased

Access to Non-identifying Information

Statute: §§ 8-121; 8-129

Upon request, the court may release non-identifying information such as health and genetic history.

Mutual Access to Identifying Information

Statute: § 8-121

- The court shall not release identifying information unless a compelling need for disclosure is established or consent was previously obtained from the birth parents per § 8-106.
- An adopted person, age 18 or older, may file at any time with the court and agency giving or withdrawing consent to release confidential information to the birth parents.

Access to Original Birth Certificate

Statute: § 36-326

No access except as provided by regulation of the Department of Health Services or upon order of a court

Where the Information Can Be Located

Arizona Confidential Intermediary Program, Arizona Supreme Court

Arkansas

Who May Access Information

Statute: §§ 9-9-504; 9-9-505

- Adopted person
- Spouse or child of adopted person, if deceased
- Adoptive parents or guardian
- Birth parents
- Child Welfare agency

Access contingent upon registration with Adoption Registry

Access to Non-identifying Information

Statute: § 9-9-505

Non-identifying information such as health history, genetic and social history is accessible. The person requesting the information shall pay the reasonable cost of providing the information.

Mutual Access to Identifying Information**Statute: § 9-9-504**

- Identifying information may only be disclosed if each birth parent registers with the adoption registry.
- An adult adopted person may also voluntarily register with the adoption registry.

Access to Original Birth Certificate**Statute: § 20-18-406**

Available only upon a court order

Where the Information Can Be Located

- Arkansas Department of Human Services, Division of Child and Family Services, Adoption Registry
 - The licensed agency involved in the adoption
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California**Who May Access Information****Statute: Fam. Code § 9203**

- Adopted person, age 21 or older
- Birth parent of an adopted person age 21 or older
- Adoptive parent of a child under age 21

Access to Non-identifying Information**Statute: Fam. Code § 9203**

Non-identifying information of the birth parents and adopted person such as medical history, scholastic information, and psychological evaluations is accessible.

Mutual Access to Identifying Information**Statute: Fam. Code §§ 9201; 9203; 9205; 9206**

- Identifying information such as name and current address of birth parents or an adopted person may be released upon request if consent in writing has been previously given.
- Information will only be released to adoptive parents if court finds that a medical necessity or other extraordinary circumstance justifies disclosure.
- Information about a birth sibling may be released to another sibling provided both are age 21 or older.
- Photos or letters should be released if requested.
- A reasonable fee may be charged for processing the request.

Access to Original Birth Certificate**Statute: Health & Safety Code § 102705**

Available by order of a court

Where the Information Can Be Located

- California Department of Social Services, Adoption Branch
 - Licensed adoption agency
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Colorado

Who May Access Information

Statute: § 19-5-305

- Adult adopted person
- Birth parents
- Adoptive parent of a minor adopted person
- The legal representative of a minor adopted person

Access to Non-identifying Information

Statute: § 19-5-305

- Prior to 9/1/99: access is available through a confidential intermediary who must obtain consent from the parties before release of information
- After 9/1/99: adoption records are open to inspection and copying, unless a party has requested that they remain confidential
- Non-identifying information is defined by § 19-1-103

Mutual Access to Identifying Information

Statute: §§ 19-5-305; 25-2-113.5

- Upon inquiry, identifying information may be released, if a consent form (see § 19-1-103) authorizing such release is present from the party about whom information is sought
- For adoptions on or after 9/1/99, a birth parent shall have access to adoption records and contact with the adopted person or the adoptive family
- Parties may also log consent with the State Registrar, for which a reasonable fee may be charged

Access to Original Birth Certificate

Statute: § 25-2-113

Available upon order of a court

Where the Information Can Be Located

- Colorado Voluntary Adoption Registry, Colorado Department of Health
- Colorado Confidential Intermediary Services
- Child placement agency involved in the adoption

Connecticut

Who May Access Information

Statute: § 45a-756

- Adult adopted person
- Adoptive parents or guardian
- Spouse or descendants of the adopted person, if the adopted person is deceased

Note: Only the adopted person may access identifying information.

Access to Non-identifying Information**Statute: § 45a-756**

Information about the birth parents including but not limited to:

- Age
- Heritage
- General physical appearance
- Education
- Talents, hobbies, and special interests
- Existence of any other child or children born to either parent
- Health history
- Reasons for placing the child for adoption
- Religion

Mutual Access to Identifying Information**Statute: § 45a-751**

Any authorized applicant may, by applying in person or in writing, request the release of identifying information. The information should be released unless:

- The consents required by § 45a-751b are not given; or
- The release of the requested information would be seriously disruptive to or endanger the physical or emotional health of the applicant or the person whose identity is being requested

Access to Original Birth Certificate**Statute: § 45a-750**

May be requested by the adopted person if the birth parents' consent is on file with the department

Where the Information Can Be Located

- The department and each child-placing agency involved in the adoption shall maintain registries.
- Connecticut Department of Children and Families, Office of Foster and Adoption Services

Delaware**Who May Access Information****Statute: Tit. 13, § 924**

- Adopted person, age 21 or older
- All other parties to an adoption

Note: Only the adopted person may access identifying information.

Access to Non-identifying Information**Statute: Tit. 13, § 924**

Open access to non-identifying information

Mutual Access to Identifying Information**Statute: Tit. 13, §§ 962; 929**

Upon request, an adopted person, age 21 years or older, shall be notified of a birth parent or sibling's current name, address, and telephone unless a no-contact declaration is made either verbally or in writing and filed with the agency by the person being sought.

Access to Original Birth Certificate**Statute: Tit. 13, § 923**

The adopted person age 21 or older may request a copy unless the birth parent has filed an affidavit denying release.

Where the Information Can Be Located

The agency involved in the adoption

District of Columbia**Who May Access Information**

Not addressed by statutes reviewed

Access to Non-identifying Information

Not addressed by statutes reviewed

Mutual Access to Identifying Information

Not addressed by statutes reviewed

Access to Original Birth Certificate**Statute: § 16-314**

The original birth certificate is a sealed record that cannot be opened without petitioning the court.

Where the Information Can Be Located

Contact the Child and Family Services Agency or the agency involved in the adoption

Florida**Who May Access Information****Statute: § 63.162**

- Adopted person, age 18 or older
- Birth parents
- Adoptive parents

Access to Non-identifying Information**Statute: § 63.162**

All non-identifying information, including the family medical and social history, when available, must be furnished upon request.

Mutual Access to Identifying Information**Statute: § 63.162**

Identifying information about parties to an adoption may not be disclosed unless the respective party has authorized in writing the release of such information.

Access to Original Birth Certificate**Statute: § 63.162**

Available only upon order of the court

Where the Information Can Be LocatedFlorida Adoption Reunion Registry

Georgia**Who May Access Information****Statute: § 19-8-23**

- Adopted person
- Birth parents
- The child of the adopted person, if deceased
- Adoptive parents

The adoptive parents may access only non-identifying information.

Access to Non-identifying Information**Statute: § 19-8-23**

Upon the written request of an adopted person age 18 or older or an adoptive parent on behalf of an adopted person, non-identifying information shall be released regarding the birth parents and the adopted person's birth, including the date and place of the adopted person's birth and the genetic, social, and health history of the birth parents.

The department may charge a reasonable fee for providing the information.

Mutual Access to Identifying Information**Statute: § 19-8-23**

Upon written request of an adopted person age 21 or older, the name of the birth parents shall be released if:

- The birth parent submitted an unrevoked written permission for the release
- The identity of the birth parent has been verified; and
- The department or agency has the records

The adopted person also may petition the Superior Court of Fulton County to seek the release of such information. The court shall grant the petition if it finds that failure to release the identity of each parent would have an adverse impact upon the physical, mental, or emotional health of the adopted person.

Birth parents may also access information about an adopted person through the registry using the same process.

Access to Original Birth Certificate**Statute: § 31-10-14**

Available by order of the court or by regulation

Where the Information Can Be LocatedGeorgia Adoption Reunion Registry

Guam**Who May Access Information****Statute: Tit. 19, § 4217**

A person having a legitimate interest in the adoption

Access to Non-identifying Information**Statute: Tit. 19, § 4217**

Access to information available through court order only

Mutual Access to Identifying Information**Statute: Tit. 19, § 4217**

Access to information available through court order only

Access to Original Birth Certificate**Statute: Tit. 10, § 3215**

Available upon court order only

Where the Information Can Be Located

The court that approved the adoption

Hawaii**Who May Access Information****Statute: § 578-15**

- Adopted person
- Adoptive parents

Access to Non-identifying Information**Statute: § 578-15**

Information concerning the ethnic background and necessary medical information may be released regardless of the presence of a confidentiality affidavit.

Mutual Access to Identifying Information**Statute: § 578-15**

An adopted person, 18 years of age or older, may submit a written request to the family court for inspection of adoption records. Such records will be released unless the birth parents have filed a confidentiality affidavit. Such affidavits may be renewed every 10 years.

Access to Original Birth Certificate**Statute: § 338-20**

Available only upon court order

Where the Information Can Be Located

Family Court Registry

Idaho

Who May Access Information

Statute: § 39-259A

- Adult adopted person
- Birth parents
- Adult birth siblings

Access to Non-identifying Information

Not addressed in statutes reviewed

Mutual Access to Identifying Information

Statute: § 39-259A

- The registrar shall establish and maintain a list of adult adopted persons, birth parents, and adult birth siblings who consent to the release of identifying information.
- Consents may be revised.
- The registration fee is \$10.

Access to Original Birth Certificate

Statute: § 39-258

Available upon a court order or in accordance with § 39-259A

Where the Information Can Be Located

Idaho Department of Health and Welfare, Voluntary Adoption Registry

Illinois

Who May Access Information

Statute: Ch. 750 § 50/18.05

- Birth parents and siblings
- Adoptive parents or legal guardians of an adopted person under age 21
- Adopted person age 21 or older

Access to Non-identifying Information

Statute: Ch. 750 § 50/18.05

Upon request, the registry will release medical and general non-identifying information and any photographs voluntarily provided by a registrant.

Mutual Access to Identifying Information

Statute: Ch. 750 §§ 50/18.1; 50/18.3(a)

Identifying information (the name and last known address) may be obtained from the Registry upon a court order, a filed information exchange authorization form by a registrant, or per § 18.3(h) of this Act.

Access to Original Birth Certificate**Statute: Ch. 750 § 50/18.05; Ch. 410 § 535/17**

- For adoptions finalized after January 1, 2000, provided through the adoption registry
- Otherwise, available upon a court order or as provided by regulation

Where the Information Can Be LocatedIllinois Department of Public Health, Illinois Adoption Registry and Medical Information Exchange

Indiana**Who May Access Information****Statute: § 31-19-18-2**

- Adopted person, age 21 or older
- Birth parent or sibling
- Adoptive parent
- The spouse or relative of a deceased adopted person
- The spouse or relative of a deceased birth parent

Access to Non-identifying Information**Statute: § 31-19-18-2**

Non-identifying information may be released as long as the party about whom the information relates gives a signed written consent.

Mutual Access to Identifying Information**Statute: §§ 31-19-25-2; 31-19-25-3**

- An adopted person, age 21 or older, may request identifying information by submitting a written request to the State registrar.
- Birth parents may restrict access to such information by filing a written non-release form with the registrar.

Access to Original Birth Certificate**Statute: § 31-19-3-2**

Withheld from inspection except for a child adopted by a stepparent or as provided in statutes pertaining to release of identifying information

Where the Information Can Be Located

Indiana Adoption History Registry

Iowa**Who May Access Information****Statute: § 144.43A**

- Adult adopted person
- Adult sibling
- Birth parents

Access to Non-identifying Information

Not addressed in statutes reviewed

Mutual Access to Identifying Information**Statute: § 144.43A**

The registrar may reveal identifying information to a party, if the person sought gives consent to the revelation of identity and the registrar has sufficient information to make the requested match.

Access to Original Birth Certificate**Statute: § 144.24**

Available only upon court order

Where the Information Can Be LocatedIowa Department of Public Health, Bureau of Vital Records, Adoption Registry Program

Kansas**Who May Access Information****Statute: § 59-2122**

- Adult adopted person
- Adoptive parents
- Birth parents

Access to Non-identifying Information**Statute: § 59-2122**

The birth parents may be contacted at the request of the adoptive parents or the adopted person in the event of a health or medical need.

Mutual Access to Identifying Information**Statute: § 59-2122**

- Identifying information shall not be shared with the birth parents without the permission of the adoptive parents or the adopted person.
- The department may contact the birth parents at the request of the adopted person for any reason.

Access to Original Birth Certificate**Statute: § 65-2423**

May be opened:

- Upon demand of adopted adult
- By court order

Where the Information Can Be LocatedDepartment of Social and Rehabilitative Services

Kentucky**Who May Access Information****Statute: § 199.575**

- Adopted person, age 18 or older
- Birth sibling, age 18 or older
- A birth parent

Access to Non-identifying Information

Not addressed in statutes reviewed

Mutual Access to Identifying Information**Statute: § 199.572**

When a written consent is on file, the records shall be available, upon request in writing.

Access to Original Birth Certificate**Statute: § 199.570**

Available only upon court order

Where the Information Can Be LocatedCabinet for Families and Children

Louisiana**Who May Access Information****Statute: Ch. Code Art. 1270**

- Adopted person, age 18 or older
- Birth parents
- Birth siblings, age 18 or older
- Adoptive parents

The access of adoptive parents is limited to non-identifying information.

Access to Non-identifying Information**Statute: Ch. Code Art. 1126; 1127.1**

The agency or person to whom surrender is made shall have the duty to make a good faith effort to obtain a statement of family history, containing non-identifying medical and genetic information.

Mutual Access to Identifying Information**Statute: Ch. Code Art. 1270**

The registry shall not release any information from adoption records in violation of the privacy or confidentiality rights of a birth parent who has not authorized the release of any information. An exception is made if the parent is deceased.

Access to Original Birth Certificate**Statute: Rev. Stat. § 40:73**

Available:

- Upon demand to adopted person or adoptive parent
- To the agency that was a party to the adoption upon court order after a showing of compelling reasons

Where the Information Can Be Located

Louisiana Adoption Registry

Maine**Who May Access Information****Statute: Tit. 22, § 2706-A**

- Adopted person, age 18 or older
- An adoptive parent or legal guardian
- A birth parent or sibling

Access to Non-identifying Information

Not addressed in statutes reviewed

Mutual Access to Identifying Information**Statute: Tit. 22, § 2706-A**

Registrar will release identifying information if both parties have registered thereby giving consent.

Access to Original Birth Certificate**Statute: Tit. 22, § 2765**

Available only upon court order

Where the Information Can Be Located

Maine State Adoption Reunion Registry

Maryland

Who May Access Information

Statute: Fam. Law § 5-4C-05

- Birth parents and siblings
- An adopted person, age 21 or older

Access to Non-identifying Information

Statute: Fam. Law § 5-329

- Upon request, any medical or non-identifying information contained in an adoption record shall be provided without the showing of any need.
- An intermediary may be appointed by the court to acquire the information if the agency does not have it within its records.

Mutual Access to Identifying Information

Statute: Fam. Law § 5-4C-06

- To register with the Registry, an individual shall submit a notarized affidavit containing identifying information outlined in the statute such as the individual's current name and any previous name by which the individual was known and address and telephone number.
- Information will be released when a match is made.

Access to Original Birth Certificate

Statute: Fam. Law § 5-3A-02

Adopted adult and birth parent of adopted adult may apply to the Secretary of Health and Mental Hygiene for a copy.

Where the Information Can Be Located

Department of Human Resources, Social Services Administration, Adoption Search, Contact and Reunion Services

Massachusetts

Who May Access Information

Statute: Ch. 210, § 5D

- Adopted person, age 18 or older
- Adoptive parents of an adopted person under age 18
- Birth parents

Access to Non-identifying Information

Statute: Ch. 210, § 5D

Upon the written request of a party, the agency must release non-identifying information.

Mutual Access to Identifying Information

Statute: Ch. 210, § 5D

If a written permission to release identity is present, the agency must comply with a request.

Access to Original Birth Certificate**Statute: Ch. 210, § 5C**

Available only upon court order

Where the Information Can Be LocatedThe placement agency involved in the adoption

Michigan**Who May Access Information****Statute: § 710.68**

- Adult adopted person
- Adoptive parents
- Birth parents and siblings

Adoptive parents may not access identifying information.

Access to Non-identifying Information**Statute: § 710.68**

All available non-identifying information described in § 710.27(1), (2) must be provided to the requester within 63 days of a written request.

Mutual Access to Identifying Information**Statute: § 710.68**

- All identifying information described in § 710.27(3) shall be released to an adult adopted person, if both birth parents have on file with the central adoption registry a statement consenting to the release.
- See this statute for other options if both consents are not present.

Access to Original Birth Certificate**Statute: § 333.2882**

Can be provided to the adult adopted person upon request when accompanied by a copy of a central adoption registry clearance reply form

Where the Information Can Be Located**Statute: § 710.27**

- The child placing agency, department, or court that places the child shall maintain the information required by subsections (1) to (3).
 - See also: Michigan Family Independence Agency, Adoption Services Division
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Minnesota**Who May Access Information**

Not addressed in statutes reviewed

Access to Non-identifying InformationNot addressed in statutes reviewed

Mutual Access to Identifying Information

Not addressed in statutes reviewed

Access to Original Birth Certificate

Statute: § 257.73

Available:

- Upon consent of the court and all interested parties
- Upon order of the court for good cause shown

Where the Information Can Be Located

Minnesota Department of Human Services, Documents, Forms and Applications

*Mississippi***Who May Access Information**

Statute: § 93-17-207

- Adopted person age 18 or older
- Adoptive parent
- Guardian of an adopted person
- The offspring or blood sibling of an adopted person if age 18 or older

Access to Non-identifying Information

Statute: §§ 93-17-205; 207; 209

- Non-identifying information should be released for a reasonable fee, to any qualified person.
- The court may be petitioned for release of such information, e.g., medical, social, and genetic, if the bureau does not have the information and the birth parent refuses consent to any release.

Mutual Access to Identifying Information

Statute: §§ 93-17-215; 217; 219

- An adopted person age 21 or older may request identifying information regarding either or both of his or her birth parents, unless that birth parent has executed an affidavit prohibiting the release of such information.
- The adopted person must submit to counseling in connection with any release.

Access to Original Birth Certificate

Statute: § 93-17-21

Upon order of the court, pursuant to §§ 93-17-201 through 93-17-233, in which identifying information may be obtained with the consent of the birth parents

Where the Information Can Be Located

Mississippi Department of Human Services

Missouri

Who May Access Information

Statute: § 453.121

- Adoptive parents
- Legal guardians
- Adult adopted person

Access to Non-identifying Information

Statute: § 453.121

Non-identifying information, if known, concerning undisclosed birth parents or siblings shall be provided upon written request.

Mutual Access to Identifying Information

Statute: § 453.121

If the birth parent fails or refuses to file an affidavit authorizing the release of identifying information, it shall not be released. If rejected, a request may be made again in 3 years. Similar information about an adult birth sibling may be released for medical cause shown.

Access to Original Birth Certificate

Statute: § 193.125

Available only upon order of the court

Where the Information Can Be Located

Missouri Division of Family Services, Adoption Information Registry

Montana

Who May Access Information

Statute: § 42-6-102

- Adopted person
- Adoptive or birth parent
- An extended family member of an adopted person or birth parent
- Court-appointed confidential intermediary

Access to Non-identifying Information

Statute: § 42-6-102

- Upon request, all non-identifying information will be provided to a requester.
- Access to non-identifying by an intermediary is not addressed in the statutes reviewed.

Mutual Access to Identifying Information

Statute: §§ 42-6-102; 103; 104

- Information may be disclosed to any person who consents in writing to the release of confidential information to other persons who have also consented.
- Identifying information pertaining to a minor adopted person may not be disclosed unless the adoptive parents consent.
- Specific information may also be released to assist an adopted person become a member of an Indian Tribe.

Access to Original Birth Certificate**Statute: § 42-2-209**

Adopted person may be provided a copy of the original birth certificate unless the birth parent requests in writing that it be withheld.

Where the Information Can Be Located

Office of Vital Statistics, Department of Public Health and Human Services

Nebraska**Who May Access Information****Statute: § 43-146.04**

- Adopted person, age 21 or older
- An Indian adopted person, age 18 or older

Access to Non-identifying Information**Statute: § 43-146.05**

Non-identifying information such as medical history may be provided per § 43-107.

Mutual Access to Identifying Information**Statute: §§ 43-146.04 through 146.07; 43-1510**

- An adult adopted person may receive identifying information if a notice of non-consent is not filed by the person being sought.
- An Indian adopted person shall be informed of the Tribal affiliation, if any, of the individual's birth parents and other information as may be necessary to protect any rights flowing from the adopted person's Tribal relationship.

Access to Original Birth Certificate**Statute: §§ 43-110 through 43-146**

Adopted person age 25 years or older may file a written request. Both birth parents and adoptive parents may file non-consent forms to bar release.

Where the Information Can Be Located

Nebraska Department of Health and Human Services

Nevada**Who May Access Information**

Not addressed in statutes reviewed

Access to Non-identifying Information

Not addressed in statutes reviewed

Mutual Access to Identifying Information**Statute: § 127.007**

- Identifying information may be released about a person related within the 3rd degree to an adopted person, or about an adopted person to a person related within the 3rd degree, if the names and information about both persons are contained in the registry and written consent is given by the birth parent.
- An adopted person may restrict the release of any information concerning himself.

Access to Original Birth Certificate**Statute: § 440.310**

Available only upon order of the court

Where the Information Can Be LocatedNevada Adoption Registry

New Hampshire**Who May Access Information****Statute: § 170:B-19**

- Adopted person, age 21 or older
- An adoptive parent

Access to Non-identifying Information**Statute: § 170:B-19**

Upon request, information relating to the health history of the birth parent and relatives or non-identifying background information shall be released.

Mutual Access to Identifying Information**Statute: § 170:B-19**

When an agency receives a request from an adopted person it shall, if a release of information has been signed and has not been revoked, release such information to the adopted person.

Access to Original Birth Certificate

Not addressed in statutes reviewed

Where the Information Can Be LocatedNH DHHS Office of Community and Public Health, Bureau of Vital Records

New Jersey**Who May Access Information**

Not addressed in statutes reviewed

Access to Non-identifying Information**Statute: § 9:3-52**Information available upon good cause shown to the court

Mutual Access to Identifying Information**Statute: § 9:3-52**

Information available upon good cause shown to the court

Access to Original Birth Certificate**Statute: § 26:8-40.1**

Available only upon order of the court

Where the Information Can Be Located

For public agency adoptions only:

New Jersey Department of Human Services, Division of Youth and Family Services, Adoption Registry Coordinator

New Mexico**Who May Access Information****Statute: § 32A-5-40**

- Adopted person, age 18 or older
- Adoptive parent of an adopted person under age 18
- An adopted person's birth sibling
- A guardian

Access to Non-identifying Information**Statute: § 32A-5-40**

Access to non-identifying information limited to:

- Health and medical histories of the adopted person's birth parents and the adopted person
- General family background
- Physical descriptions
- The length of time the adopted person was in the care and custody of persons other than the adoptive parents

Mutual Access to Identifying Information**Statute: §§ 32A-5-40; 32A-5-41**

- The identity of the birth parents and of the adopted person shall be kept confidential unless both have consented to the release of identity.
- If consent is absent, a party may file a motion with the court to obtain release for good cause shown. The court shall give primary consideration to the best interests of the adopted person.
- A confidential intermediary may be used to ascertain information.

Access to Original Birth Certificate**Statute: § 24-14-17**

Available only upon order of the court

Where the Information Can Be Located

- New Mexico Adoption Registry
- CYFD-PSD, Central Adoption Unit

New York

Who May Access Information

Statute: Pub. Health § 4138-d

- Adopted person, age 18 or older
- A birth sibling, age 18 or older
- Adoptive parents of adopted person under age 18

Access to Non-identifying Information

Statute: Pub. Health § 4138-c

The department shall release non-identifying medical information.

Mutual Access to Identifying Information

Statute: Pub. Health § 4138-c

Release of identifying information by the Registry is limited to names and addresses of registrants.

Access to Original Birth Certificate

Statute: Pub. Health § 4138

Available only upon order of the court

Where the Information Can Be Located

Adoption Information Registry, New York State Department of Health

North Carolina

Who May Access Information

Statute: § 48-9-103

- Adoptive parent
- Adult adopted person
- A minor adopted person who is a parent or an expectant parent

Access to Non-identifying Information

Statute: § 48-9-103

- A party may request a copy of any document prepared pursuant to § 48-3-205 and any additional non-identifying health-related information about the adopted person's original family.
- Non-identifying information about the adopted person's present circumstances may be disclosed to a birth parent, an adult sibling, or the guardian of a minor sibling.

Mutual Access to Identifying Information

Statute: § 48-9-109

The consent to the release of identifying information shall be in writing and signed.

Access to Original Birth Certificate

Statute: § 48-9-106

Available upon order of the court as authorized by § 48-9-105

Where the Information Can Be Located

State Registrar

North Dakota**Who May Access Information**

Statute: § 14-15-16

- The adoptive parents
- Adopted adult
- Birth parent

Access to Non-identifying Information

Statute: § 14-15-16

Non-identifying information, if known, concerning undisclosed birth parents must be furnished at a reasonable fee.

Mutual Access to Identifying Information

Statute: § 14-15-16

Identifying information about a birth parent or sibling may be released to an adopted person, age 18 or older, provided consent to such disclosure is present. A birth parent may request such information of an adopted person age 21 or older.

Access to Original Birth Certificate

Statute: §§ 14-17-22; 23-02.1-18

Upon order of the court or as provided by rules and regulations

Where the Information Can Be Located

Passive Registry:
North Dakota Department of Human Services, Adoption Search/Disclosure

Northern Mariana Islands**Who May Access Information**

Not addressed in statutes reviewed

Access to Non-identifying Information

Not addressed in statutes reviewed

Mutual Access to Identifying Information

Statute: Tit. 8, § 1414

The identity of an adoptive parent or child may not be disclosed except by consent in writing of adoptive parent, adopted child age 14 years or older, or by showing good cause.

Access to Original Birth Certificate

Statute: Tit. 8, § 1414

Only upon consent of the court and all interested persons or upon an order of the court upon a showing of good cause

Where the Information Can Be Located

The agency involved in the adoption

Ohio

Who May Access Information

Statute: §§ 3107.66; 3107.47

- An adopted adult
- An adoptive parent of a minor adopted person
- Non-identifying information by an adoptive family member of a deceased adopted person

Access to Non-identifying Information

Statute: § 3107.66

Non-identifying information should be provided upon request to an adopted person age 18 or older, an adoptive parent of an adopted person under age 18, or an adoptive family member of a deceased adopted person.

Mutual Access to Identifying Information

Statute: § 3107.47

If there is no effective denial of release form for the birth parents or siblings and the fee required by § 3705.241 is paid, identifying information must be provided to the adopted person age 21 or older or an adoptive parent if the adopted person is at least age 18 but under age 21.

Access to Original Birth Certificate

Statute: § 3705.12

Released upon order of the probate court

Where the Information Can Be Located

Vital Statistics Registrar, Ohio Department of Health

Oklahoma

Who May Access Information

Statute: Tit. 10, § 7508-1.3

- Adult adopted person
- Adult descendant of a deceased adopted person
- Birth parent
- Adult birth sibling or grandparent of an adult adopted person

Access to Non-identifying Information

Statute: Tit. 10, § 7508-1.3

Non-identifying medical and social information will be provided upon request, if available or after it has been located by an intermediary.

Mutual Access to Identifying Information

Statute: Tit. 10, § 7508-1.2

An eligible registrant may access information stating a registrant's current contact information and willingness to be identified to some or all eligible relatives.

Access to Original Birth Certificate**Statute: Tit. 10, § 7505-6.6**

Available to an adopted person age 18 or older upon written request under the following conditions:

- He or she presents proof of identity
- There are no biological siblings under age 18
- The birth parents have not filed affidavits of non-disclosure

Where the Information Can Be Located

Voluntary Adoption Reunion Registry, Oklahoma Department of Human Services

Oregon**Who May Access Information****Statute: § 109.430**

- Adult adopted person
- Birth parents
- Putative fathers
- Any other specified person such as a birth sibling

Access to Non-identifying Information**Statute: § 109.430**

Upon request the Adoption Registry shall provide non-identifying health and social and genetic history of any party about whom information is sought.

Mutual Access to Identifying Information**Statute: § 109.430**

- The Adoption Registry will disclose identifying information if the relevant parties have registered their consent to disclosure.
- Such information will also be disclosed to Indian Tribes or governmental agencies to establish an adopted person's eligibility for Tribal membership or for benefits or to the trustee of an estate that refers to the adopted person.

Access to Original Birth Certificate**Statute: § 432.230**

Available upon order of the court or as provided by rule of the State registrar

Where the Information Can Be Located

Department of Human Services, Adoption Registry

Pennsylvania**Who May Access Information****Statute: 23 PCSA § 2905**

- Adopted person, age 18 or older
- Adoptive parents, if adopted person is under age 18
- Legal guardian

Access to Non-identifying Information**Statute: 23 PCSA § 2905**

Non-identifying information, such as medical history, pertaining to the birth parents may be disclosed if has been consent given, provided release of such information will not endanger the anonymity of the birth parents.

Mutual Access to Identifying Information**Statute: 23 PCSA § 2905**

In the event consent is not present, upon petition, the court may through its designated agent, attempt to contact the birth parents, if known, to obtain their consent to release their identity and present place of residence to an adopted person.

Access to Original Birth Certificate**Statute: 23 PCSA § 2905**

Available to the adopted person if age 18 or older or to the adoptive parent if the birth parent(s) have filed consent with the Department of Health

Where the Information Can Be Located

Adoption Medical History Registry

Puerto Rico**Who May Access Information**

Not addressed in statutes reviewed

Access to Non-identifying Information

Not addressed in statutes reviewed

Mutual Access to Identifying Information

Not addressed in statutes reviewed

Access to Original Birth Certificate**Statute: Tit. 24, § 1136**

Available only upon order of the court

Where the Information Can Be Located

The court that handled the adoption

Rhode Island**Who May Access Information****Statute: § 15-7.2-2**

- Birth parents and siblings
- Adult adopted person
- Surviving relatives of deceased birth parents and deceased adopted person

Access to Non-identifying Information**Statute: § 15-7.2-2**

Upon request, the registry may disclose non-identifying health and social and genetic history of registered parties.

Mutual Access to Identifying Information**Statute: §§ 15-7.2-2; 15-7.2-7**

The listed parties may register their willingness to the release of identifying information to each other, if requested.

Access to Original Birth Certificate**Statute: § 15-7.2-12**

Provided through the mutual consent registry to the adult adopted person when the birth parent(s) is/are registered and have given consent

Where the Information Can Be Located

- State of Rhode Island and Providence Plantations Family Court, Juvenile Division
- The agency involved the adoption

South Carolina**Who May Access Information****Statute: § 20-7-1780**

- Adopted person, age 21 or older
- Birth parents and siblings

Access to Non-identifying Information**Statute: § 20-7-1780**

Non-identifying information including the health and medical histories of the birth parents and adopted person and the adopted person's general family background, may be disclosed to a requesting party for cause shown.

Mutual Access to Identifying Information**Statute: § 20-7-1780**

A party may request, in writing, and receive identifying information about another party if an affidavit granting consent is present. Counseling concerning the effects of the disclosure is mandatory.

Access to Original Birth Certificate**Statute: § 44-63-140**

Original birth certificate is kept in a sealed file by the State registrar.

Where the Information Can Be Located

South Carolina Department of Social Services, Adoption Reunion Registry

South Dakota**Who May Access Information**

Statute: § 25-6-15.2

- Adoptive parent
- Adopted person, age 18 or older
- Birth parents

Access to Non-identifying Information

Statute: § 25-6-15.2

Non-identifying information may be released to a requesting party, including:

- The birth parent's age at the time of the adopted person's birth
- Birth parent's heritage
- Education level achieved
- General physical appearance
- Religion
- Health history

Mutual Access to Identifying Information

Statute: § 25-6-15.2

Consent to the release of identifying information shall indicate to whom the information may be released and whether the party desires release of the information after their death. A person who uses the registry may revoke consent at any time.

Access to Original Birth Certificate

Statute: § 34-25-16.4

Available upon order of the court

Where the Information Can Be Located

South Dakota Voluntary Registry

Tennessee**Who May Access Information**

Statute: § 36-1-133

- Adopted person, age 18 or older
- Adoptive parents or guardian if adopted person is under age 18
- Birth parent or legal relatives
- The lineal descendants of an adopted person

Access to Non-identifying Information**Statute: § 36-1-133**

Upon written request the department shall provide to a requester non-identifying information about an adopted person and such person's birth or legal relatives as may be contained in the sealed adoption record or post-adoption record. See full-text of the statute for details.

Mutual Access to Identifying Information**Statute: §§ 36-1-128; 36-1-129**

The persons authorized by § 36-1-133, provided they are age 21 or older, may have their names entered in the registry stating either their willingness or unwillingness to be contacted and have identifying information disclosed.

Access to Original Birth Certificate**Statute: § 36-1-130**

Available to parties who have established their eligibility to have access to adoption records

Where the Information Can Be Located

Department of Children's Services, Post Adoption Unit

Texas**Who May Access Information****Statute: Fam. Code § 162.018**

- Adoptive parents
- Adult adopted person

Access to Non-identifying Information**Statute: Fam. Code § 162.018**

Eligible parties are entitled to receive copies of records that have been edited to protect the identity of the birth parents and other information relating to the history of the adopted person.

Mutual Access to Identifying Information**Statute: Fam. Code § 162.416**

Access to identifying information is possible through the mutual adoption registry. A registrant is required to sign a written consent to disclosure form before a release may be completed. Such information shall be released without consent if the registrant is deceased.

Access to Original Birth Certificate**Statute: Health & Safety Code § 192.008**

Only the court that granted the adoption may grant access.

Where the Information Can Be Located

Central Adoption Registry, Bureau of Vital Statistics, Texas Department of Health

Utah

Who May Access Information

Statute: § 78-30-17

- Adoptive parents or legal guardian
- Adopted person
- Adopted person's spouse, or guardian of the adopted person's child, if the adopted person is deceased
- The adopted person's child or descendant
- The birth parent or adult sibling

Access to Non-identifying Information

Statute: § 78-30-17

A detailed health history, and a genetic and social history of the adopted person shall be available upon request to the persons authorized by § 78-30-17. The person making the request shall pay the actual cost of providing the information.

Mutual Access to Identifying Information

Statute: § 78-30-17

The bureau may only release identifying information to an adult adopted person or birth parents and adult birth sibling when it receives requests from both parties.

Access to Original Birth Certificate

Not addressed in statutes reviewed

Where the Information Can Be Located

Utah Bureau of Vital Records and Health Statistics

Vermont

Who May Access Information

Statute: Tit. 15A, § 6-104

- Adoptive parent or legal guardian of an adopted person
- Adopted person, age 18 or older
- Emancipated adopted person
- Deceased adopted person's direct descendant, age 18 or older, or his or her parent or guardian if under age 18
- The adopted person's birth parent, grandparent, or sibling

Access to Non-identifying Information

Statute: Tit. 15A, § 6-104

The appropriate entity shall furnish a detailed summary of any relevant report or information contained in confidential reports in their possession about the adopted person, the birth parents and the adopted person's genetic history, including the information required by § 2-105 of this title.

Mutual Access to Identifying Information

Statute: Tit. 15A, § 6-106

A birth parent may prevent disclosure of identifying information about himself or herself by filing a request for nondisclosure with the registry as provided in § 6-105 of this title. A request for nondisclosure may be withdrawn at any time.

Access to Original Birth Certificate**Statute: Tit. 15A, § 6-107**

- May be released upon request to an adopted person age 18 or older who has access to identifying information.
- The original birth certificate is unsealed and becomes public record 99 years after the date of the adopted person's birth.

Where the Information Can Be LocatedVermont Adoption Registry

Virgin Islands**Who May Access Information**

Not addressed in statutes reviewed

Access to Non-identifying Information

Not addressed in statutes reviewed

Mutual Access to Identifying Information

Not addressed in statutes reviewed

Access to Original Birth Certificate

Not available to any one other than the adopted person after attaining majority or upon order of the court

Where the Information Can Be LocatedNot addressed in statutes reviewed

Virginia**Who May Access Information****Statute: § 63.2-1246**

- Adopted person, age 18 or older
- Licensed or authorized child-placing agencies providing services to the child
- Adoptive parents

Access to Non-identifying Information**Statute: § 63.2-1246**

Non-identifying information shall not be open to inspection, or be copied, by anyone other than those authorized by statute, except upon the order of a circuit court upon good cause shown.

Mutual Access to Identifying Information**Statute: § 63.2-1247**

Upon the consideration of the effect of the disclosure on any party and a showing of good cause, identifying information from the adoption file will be disclosed to an adopted person, age 21 or older, the birth parents, and adult siblings.

Access to Original Birth Certificate**Statute: § 32.1-261**

Available only upon order of the court

Where the Information Can Be LocatedDepartment of Social Services, Vital Adoption Records

Washington**Who May Access Information****Statute: § 26.33.340**

- An adoptive parent
- An adopted person
- A birth parent

Access to Non-identifying Information**Statute: §§ 26.33.340; 26.33.380**

Reasonably available non-identifying information may be disclosed upon a written request. If the adoption facilitator refuses to disclose such information, the individual may petition the superior court.

Mutual Access to Identifying Information**Statute: §§ 26.33.343; 26.33.347**

A qualified party may petition the court to appoint a confidential intermediary to make acquire consent to the release of identifying information. An adopted person must be age 21 or older or, if under age 21, have the permission of the adoptive parents, in order to access such information.

Access to Original Birth Certificate**Statute: § 26.33.345**

- Non-certified copy available to birth parent upon request
- Non-certified copy available to adopted person age 18 or older unless birth parent has filed an affidavit of non-disclosure

Where the Information Can Be LocatedState Adoption Department, Department of Social and Health Services, Bureau of Children's Services

West Virginia**Who May Access Information****Statute: § 48-22-702**

- Adoptive parents
- An adult adopted person

Access to Non-identifying Information**Statute: § 48-22-702**

The court, upon request, shall immediately transmit all non-identifying medical, social, or genetic information to a requesting party.

Mutual Access to Identifying Information**Statute: §§ 48-23-501; 48-23-504**

The adult adopted person and each birth parent may voluntarily register to disclose identifying information, by submitting a notarized affidavit to the appropriate registry stating his or her name, address, and telephone number and his or her willingness to be identified solely to the other relevant person who registers. A reasonable fee will be charged for the service.

Access to Original Birth Certificate**Statute: § 16-5-18**

Original birth certificate is sealed from inspection

Where the Information Can Be Located

- West Virginia Department of Vital Statistics, Vital Registration, Division of Health
- West Virginia Office of Social Services

Wisconsin**Who May Access Information****Statute: § 48.433**

- Adopted person, age 21 or older
- A birth parent

Access to Non-identifying Information**Statute: § 48.433**

Non-identifying information as defined under § 48.02 will be released upon request.

Mutual Access to Identifying Information**Statute: § 48.434**

Identifying information may be released to a requester if an unrevoked affidavit giving consent to such a release is present. If no consent is present the department is responsible for locating the person about whom information is sought.

Access to Original Birth Certificate**Statute: § 48.433**

Available upon request to adopted person age 21 or older if the birth parents have filed affidavits authorizing disclosure

Where the Information Can Be Located

Adoption Records Search Program

Wyoming**Who May Access Information****Statute: § 1-22-203**

- Adult adopted person
- Adoptive parent
- Birth parent, sibling, or grandparent

All parties must be age 18 or older.

Access to Non-identifying Information

Not addressed in statutes reviewed

Mutual Access to Identifying Information

Statute: § 1-22-203

Any qualified person may file a motion to appoint one or more confidential intermediaries for the purpose of determining the whereabouts of an unknown birth relative or relatives to gain their consent to release identifying information. Costs related to the proceeding and investigation shall be the responsibility of the party filing the motion.

Access to Original Birth Certificate

Statute: § 35-1-417

Not subject to inspection except by court order

Where the Information Can Be Located

Wyoming Confidential Adoption Intermediary Services
